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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,973	08/22/2001	Timothy P. Croughan	98A9-USC1 Croughan	8353

25547 7590 05/10/2005

PATENT DEPARTMENT  
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EXAMINER

KRUSE, DAVID H

ART UNIT PAPER NUMBER

1638

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

05052005

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## Commissioner for Patents

The reply filed on 7 March 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The claims fail to comply with 37 CFR 1.121(c), specifically, those claims that have been withdrawn from consideration as directed to an invention non-elected without traverse are improperly labeled as (original) and not (withdrawn). See Federal Register Vol. 68, No. 125, of 30 June 2003, page 38616, right column. The amendments are considered by the Examiner to be responsive to the last Office action as directed to the elected invention. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H. Kruse, Ph.D. whose telephone number is (571) 272-0799. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Amy Nelson can be reached at (571) 272-0804. The fax telephone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-0547.

David H. Kruse, Ph.D.  
5 May 2005

DAVID H. KRUSE, PH.D.  
PRIMARY EXAMINER

David H Kruse  
Primary Examiner  
Art Unit: 1638